

REMARKS

Applicant thanks the Examiner for the thorough consideration given the present application. Claims 1-6 are currently being prosecuted. The Examiner is respectfully requested to reconsider his rejections in view of the amendments and remarks as set forth below.

Claim Objections

The Examiner objected to claim 1 due to informalities. The Examiner suggested alternative language for the two locations in claim 1 where the functional language appeared to be imprecise. By way of the present Amendment, Applicant has adopted the suggested language of the Examiner. Accordingly, this objection is believed to be overcome.

Rejection Under 35 U.S.C. § 103

Claims 1, 2 and 4-6 stand rejected under 35 U.S.C. § 103 as being obvious over Chiang (U.S. Patent 6,809,759) in view of Cooper et al. (U.S. Published Application 2004/0212678) in view of Blanco et al. (U.S. Patent 7,119,832) in view of Lai (U.S. Patent 5,610,580). This rejection is respectfully traversed.

First, Applicant submits that the Examiner has not provided sufficient motivation for the combination of four different references. Further, the references are not all involved in the same subject field so that it would be less obvious to make such combination without a showing of some motivation. Thus, while Chiang shows a remote control camera, Cooper et al. is related to a motion detector system and Blanco et al. relates to a wireless microphone. Lai is similarly related to a motion detection imaging device. Applicant submits that picking and choosing

individual circuits or features from these four different references would be beyond the pervue of one skilled in the ordinary in the art. It appears that the Examiner is picking and choosing these features only in hindsight after viewing the present application. There is no reason why one skilled in the art would find it obvious to combine these different devices. Accordingly, Applicant submits that the claims are not obvious over the four-way combination of references.

Furthermore, Applicant submits that the Examiner has not taught all of the features of the original claims. At the bottom of page 4 of the Action, the Examiner points out that Chiang includes a host 20 including an operation unit, a viewing unit, a signal output unit, a power supply, a memory storage unit, etc. However, the Examiner has not shown or even alleged that this reference shows an operation display unit. Further, in regard to the radio receiving unit, the Examiner states that unit 54 of Chiang receives external remote control signals. In fact, the device of Chiang uses the Bluetooth connection to transmit signals between the camera and the remote control only. There are no external signals being received or emitted.

Furthermore, Applicant submits that the general overall structure of the present invention differs from that of the references. In particular, Chiang shows a camera having all of the necessary electronics and associated with a simple remote control unit which shows the image in the view finder and allows the operator to remotely take a picture. This differs from the present invention which has two separate parts which can be coupled together or separated. The picture taking device of the invention is similar to the camera of Chiang. However, this is coupled with a host which can be mounted separately, if desired, and provides for receiving and sending radio signals externally and is also connected to the picture taking device. The function of the host unit is much more complex. It functions for a much different purpose than that of a simple

remote control unit as shown in Chiang. Accordingly, Applicant submits that the remote control in Chiang is not a host unit and does not function in the manner described. Further, Applicant has now amended claim 1 to make it clear that these two parts can be selectively coupled or separated for use. This is not the case with the remote control. Chiang indicates that the remote control can be attached to the camera housing so that the remote control unit is turned off. Thus, when the remote control is connected to the housing it does not function. This differs from the present invention where the two function together whether separated or coupled. For these reasons, Applicant submits that the Chiang device does not teach the features suggested by the Examiner.

The Examiner relies on Cooper et al. to teach the use of surveillance and burglarproof functions. The Examiner relies on Blanco et al. to teach an operation display. The Examiner relies on Lai et al. to show a power supply with a backup battery. Applicant submits that even if all four of these references are taken in conjunction, that the claims still are not obvious thereover. Accordingly, Applicant submits that claim 1 remains allowable.

Claims 2-6 depend from claim 1 and as such are also considered to be allowable.

Claim 3 stands rejected under 35 U.S.C. § 103 as being obvious over Chiang in view of Cooper et al., Blanco et al. and Lai and further in view of Makamura (U.S. Patent 6,466,261). This rejection is respectfully traversed.

The Examiner relies on Makamura to show a human body sensor. Applicant submits that even if this reference does show this specific feature, it does not aid the other references to overcome their deficiencies. Accordingly, Applicant submits that the claims remain allowable over this five-way combination of references as well.

Double Patenting

Claims 1-6 stand rejected on the ground of non-statutory obviousness-type double patenting over co-pending application 11/023,443. This rejection is respectfully traversed.

By way of the present Amendment, Applicant is submitting a Terminal Disclaimer to overcome this rejection.

CONCLUSION

In view of the above remarks, it is believed that the claims clearly distinguish over the patents relied on by the Examiner, either alone or in combination. In view of this, reconsideration of the rejection and allowance of all the claims are respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Robert F. Gnuse, Reg. No. 27,295, at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.


If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§ 1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

By

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Attachment: Terminal Disclaimer